

Notice of Allowability

Application No.

09/550,583

Examiner

Yogesh C. Garg

Applicant(s)

SILVERSTONE ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/7/2007 & Telephonic Interview on 5/22/2007.
2. ☒ The allowed claim(s) is/are 1,3-8,10-14,22 and 24-28.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.


THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 5/22/2007.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 5/7/2007
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 5/22/2007.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


Yogesh C Garg
Primary Examiner
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DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/8/2007 has been entered.

Response to Amendment

2. Applicant's amendment received on 3/8/2007 is entered. Claims 1, 8 and 22 are amended. Claims 1,3-8, 10-14, 22 and 24-28 are pending for examination.

Response to Arguments

3. Applicant's arguments, see Remarks, pages 10-12, filed 3/8/2007, with respect to currently amended claims 1, 8 and 22 have been fully considered and are persuasive. And therefore claims 1,3-8, 10-14, 22 and 24-28 are allowed.

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Drawings

4. New corrected drawings in compliance with 37 CFR 1.121(d) are required for Figures 4-5, 9, 12, 14-16 in this application because in all these figures following DRAWING deficiencies have been noted:

the character of the lines, numbers and letters is poor;

the illustrations are penetrated or traversed by a solid or broken line that is not intended to be part of the drawing, such as a dark line caused by a flaw in the copying process;

the drawings are obscure and marred by black smudges, obliterations, or fax/copier marks; and

numbers, letters, or reference characters in the drawings are illegibly handwritten.

Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

EXAMINER'S AMENDMENT

5. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided

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by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with the applicant's representative Mr. Rudolph P. Hofmann on 5/21/2007.

Claims 1 and 22 are amended as follows:

1. (Currently amended) In a contract: manufacturing framework, a method of providing access to manufacturing services and manufacturing management services that can be contracted, the method comprising the steps of:

(a) providing a system database including a plurality of category databases, the category databases including at least a contracts database, an industry database, and a bench marking database, wherein each of the category databases include a plurality of Contract Manufacturing Organization data structures, wherein each Contract Manufacturing Organization data structure includes a description of a particular Contract Manufacturing Organization and manufacturing services provided by the Contract Manufacturing Organization that can be contracted for, and wherein the database further includes a plurality of hyperlinks to information;

(b) identifying a particular Contract Manufacturing Organization data structure based on request data from a user's terminal wherein the request data includes a type of inquiry and is provided to the system database that utilizes one of the category databases to process the request data based on the type of inquiry in the request data;

(c) identifying a particular hyperlink based on the requested data;

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(d) sending the user the identified Contract Manufacturing Organization data structure so as to identify to the user a particular Contract Manufacturing Organization, and sending the user the identified hyperlink;

(e) allowing the user to obtain additional information about the Contract Manufacturing Organization identified by the Contract manufacturing Organization data structure utilizing the identified hyperlink;

(f) receiving order information at a Central management unit terminal for a new order from the user's terminal for manufacturing services from a particular Contract Manufacturing Organization stored in the category databases;

(g) checking budget constraints at the Central management unit terminal, wherein budget constraints are calculated by comparing cost of the new order plus past order costs against an ordering budget to determine whether the cost of the new order would exceed the ordering budget; and

(h) the Central management unit terminal placing the new order for manufacturing services with the particular Contract Manufacturing Organization if the cost of the new order is within the budget constraints.

22. (Currently amended) In a contract manufacturing framework, a method of providing access to manufacturing services and manufacturing management services that can be contracted, comprising the steps of:

(a) providing a system database including a plurality of category databases, the category databases including at least a contracts database, an industry database, and a

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bench marking database, wherein each of the category databases. include a plurality of Contract Manufacturing Organization data structures, wherein each Contract manufacturing Organization data structure includes a description of a particular Contract Manufacturing Organization and descriptions of manufacturing services provided by the Manufacturing Organization that can be contracted for;

(b) receiving request data concerning a desired manufacturing service from a user's terminal wherein the request data includes a type of inquiry and is provided to the system database that utilizes one of the category databases to process the request data based on the type of inquiry in the request data;

(c) querying the category databases using the request data to determine a subset of qualified Contract Manufacturing Organizations from the plurality of Contract Manufacturing Organization data structures;

(d) identifying a particular Contract Manufacturing Organization data structure based on said desired manufacturing service so as to identify to the user a particular Contract Manufacturing Organization from the subset of qualified Contract Manufacturing Organization capable of providing said desired manufacturing service;

(e) sending the user the identified Contract Manufacturing Organization data structure ;

(f) receiving order information at a Central management unit terminal for a new order from the user for manufacturing services from a particular Contract Manufacturing Organization stored in the category databases;

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(g) checking budget constraints at the Central management unit terminal, wherein budget constraints are calculated by comparing cost of the new order plus past order costs against an ordering budget to determine whether the cost of the new order would exceed the ordering budget; and

(h) the Central management unit terminal placing the new order for manufacturing services with the particular Contract Manufacturing Organization if the cost of the new order is within the budget constraints.

6. The following is an examiner's statement of reasons for allowance:

The prior art, either alone or combined, does not suggest or render obvious a computerized method, in a contract manufacturing framework, comprising, inter alia, the steps, as a whole:

providing a system database including a plurality of category databases that is a contracts database, an industry database, and a bench marking database, wherein each of the category data bases includes a plurality of Contract Manufacturing Organization data structures, wherein each of the data structure includes a description of a particular Contract Manufacturing Organization and manufacturing services provided by the Contract Manufacturing Organization that can be contracted for and the database further includes a plurality of hyperlinks to information; providing a request data from a user's terminal to the system database which utilizes one of the category databases to process the request data based upon the type of inquiry in the request data, identifying a particular Contract Manufacturing Organization data structure based

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on the request data and a particular hyperlink based on the requested data , sending the user the identified Contract Manufacturing Organization data structure and the identified link , receiving order information at a central management unit terminal for a new order from the user's terminal for manufacturing services from a particular Contract Manufacturing Organization stored in the category databases, checking budget constraints at the central management unit terminal by comparing the cost of the new order plus past order costs against an ordering budget and the central management unit terminal placing the new order with the particular Contract Manufacturing Organization if the cost of the new order is within the budget constraints (see claim 1).

The language and limitations of other two independent claims 8 and 22 are closely parallel to the limitations of claim 1 and therefore claims 8 and 22 are analyzed and allowed on the basis of similar reasons of allowance set forth for claim 1 above.

All dependent claims are analyzed and allowed on the basis of similar reasons of allowance set forth for claim 1 above.

7. Discussion of most relevant prior art:

Hicks, Mitzi (US Patent 6,615,184) discloses a computerized system and method providing a database wherein information about suppliers and their products are stored including hyperlinks to the suppliers' websites , receiving a request data from a customer, searching the database for suppliers and their products matching the customer's request data and then sending the supplier contact information

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corresponding the matching supplier and receiving order information for a new order from the user (see at least Fig. 1, "38", col.5, lines 7-13, lines 27-32, col.6, lines 6-17, col.7, lines 6-9, col.7, line 47-col.8, line 10, col.10, lines 4-25, col.3, line 62-col.4, line 19, col.6, line 67-col.7, line 9, col.8, lines 11-49, col.9, lines 2- 30). Hicks further discloses checking suppliers based on the user specified price constraints, such as discounts (see at least col.3, line 63-col.4, line 3, col.8, lines 23-32).

Hicks does not disclose providing a system database including a plurality of category databases, each of the category database including data structures identifying contractors, providing a request data from a user to the system database which utilizes one of the category databases to process the request data based upon the type of inquiry in the request data, identifying a particular Contract Manufacturing Organization data structure based on the request data and a particular hyperlink based on the requested data, checking budget constraints, wherein budget constraints are calculated by comparing cost of the new order plus part order costs against an ordering budget to determine whether the cost of the new order would exceed the ordering budget and placing the new order for manufacturing services with the particular Contract Manufacturing Organization if the cost of the new order is within the budget constraints.

Bissonette et al. (US Patent 6,343,279), in the field of financial management, teaches that while making purchases its method and system provide a financial control to check if the assigned purchasing limit of the individual purchaser/employee is not exceeded (see col.5, lines 34-57). Bissonette et al. does not overcome the deficiencies

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of Hicks, that is it does not disclose providing a system database including a plurality of category databases, each of the category database including data structures identifying contractors, providing a request data from a user to the system database which utilizes one of the category databases to process the request data based upon the type of inquiry in the request data, identifying a particular Contract Manufacturing Organization data structure based on the request data and a particular hyperlink based on the requested data, checking budget constraints, wherein budget constraints are calculated by comparing cost of the new order plus part order costs against an ordering budget to determine whether the cost of the new order would exceed the ordering budget and placing the new order for manufacturing services with the particular Contract Manufacturing Organization if the cost of the new order is within the budget constraints.

8. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

International Publication WO 99/13417 to Chipman et al. discloses a computerized system and method allowing the suppliers to publish information in

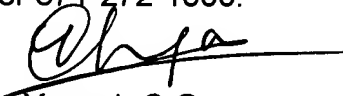
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electronic catalogs so that a customer can search and retrieve information on products and suppliers which match the customer requirements.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh C. Garg whose telephone number is 571-272-6756. The examiner can normally be reached on Increased Flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Yogesh C Garg
Primary Examiner
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YCG
5/21/2007